

**REMARKS**

This Application has been carefully reviewed in light of the Office Action dated May 29, 2009 (“*Office Action*”). At the time of the Office Action, Claims 1-35 were pending. Claims 17-23 and 32-35 were withdrawn and Claims 1-16 and 24-31 were rejected. Applicants amend Claims 1, 3, 6, 8-10, 13-14, 24, 26-29, and 31 and cancel Claims 2 and 25, without prejudice or disclaimer. Applicants add new Claims 36-37. Applicants’ amendments, cancellations, and additions have been made to advance prosecution of the Application. Applicants respectfully request reconsideration and favorable action in view of the following remarks.

**Section 101 Rejection**

The Examiner rejects Claims 1-16 under 35 U.S.C. § 101. While Applicants do not necessarily acquiesce to the Examiner’s characterization of the claims, Applicants amend Claim 1 to advance prosecution of the Application. Accordingly, Applicants respectfully request reconsideration and allowance of Claim 1 and its dependent claims.

**Section 102 Rejection**

The Examiner rejects Claims 1-5, 8-12, 24-25, and 28-29 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,321,864 issued to Gendler (“*Gendler*”). For the reasons discussed below, Applicants respectfully request reconsideration and allowance of the pending claims.

Applicants respectfully submit that *Gendler* fails to disclose, teach, or suggest, either expressly or inherently, each limitation recited in Applicants’ Claim 1. For example, *Gendler* fails to disclose:

determining, for each request, at least one data item type to be provided by the requesting user, wherein:

the at least one data item type determined for each request is based on a type of service included within the request; and

communicating an indication of the at least one data item type for each request for approval for display on the user interface of the client device associated with the requesting user,

as recited in Claim 1. *Gendler* discloses that “the user is able to identify the proper personnel required to approve the [R]FA.” Col. 8, ll. 8-9. “Different rules are capable of being set in the database 122 of system 100 such that depending on the scope of the project (typically the total dollar amount) the number of approvals will change.” Col. 8, ll. 13-16. *Gendler*, however, fails to disclose that “the at least one data item type determined for each request is based on a type of service included within the request,” as recited in Claim 1. As mentioned above, *Gendler* discloses that the number of approvals needed will change depending on “the scope of the project,” not that the “data item type determined for each request is based on a type of service included within the request.”

For at least this reason, *Gendler* fails to disclose each and every limitation recited in Applicants’ Claim 1. Accordingly, Applicants respectfully request reconsideration and allowance of Claim 1 along with its dependent claims.

Independent Claim 24 recites certain limitations that, for reasons substantially similar to those discussed with reference to independent Claim 1, *Gendler* does not disclose, teach, or suggest. Therefore, Applicants respectfully request reconsideration and allowance of independent Claim 24 together with its dependent claims.

### **Section 103 Rejections**

#### **Claims 6-7, 13, and 26-27**

The Examiner rejects Claims 6-7, 13, and 26-27 under 35 U.S.C. § 103(a) as being unpatentable over *Gendler*. For the reasons discussed below, Applicants respectfully traverse this rejection.

Applicants respectfully submit that Claims 6-7 and 13, which depend from Claim 1, and Claims 26-27, which depend from Claim 24, are patentable over *Gendler* because the reference does not disclose, teach, or suggest each and every claim limitation. Claims 6-7, 13, and 26-27 incorporate the limitations of their respective independent claims and also recite additional limitations that are not disclosed, taught, or suggest in *Gendler*. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 6-7, 13, and 26-27.

Claims 14-16 and 30-31

The Examiner rejects Claims 14-16 and 30-31 under 35 U.S.C. § 103(a) as being unpatentable over *Gendler* in view of Official Notice. For the reasons discussed below, Applicants respectfully traverse this rejection.

At the outset, Applicants respectfully submit that the Examiner's reliance on Official Notice is inappropriate. Applicants remind the Examiner that the Examiner "cannot simply reach conclusions based on [her] own understanding or experience—or on [her] assessment of what would be basic knowledge or common sense." M.P.E.P. § 2144.03 (citing *In re Zurko*, 258 F.3d 1379, 1385 (Fed. Cir. 2001)). Instead, the Examiner "must point to some concrete evidence in the record in support of these findings." *Id.* Applicants respectfully request that, if the Examiner intends to maintain this rejection, the Examiner provide support for all assumptions relied upon by the Examiner.

Furthermore, Applicants respectfully submit that Claims 14-16, which depend from Claim 1, and Claims 30-31, which depend from Claim 24, are patentable over *Gendler* in view of Official Notice because each and every limitation as recited in Applicants' claims is not taught by *Gendler* in view of Official Notice. Claims 14-16 and 30-31 incorporate the limitations of their respective independent claims and also recite additional limitations that are not disclosed, taught, or suggest in *Gendler*. The Examiner's reliance on Official Notice does not correct the deficiencies of *Gendler*.

For at least the reasons discussed above, Applicants respectfully request reconsideration and allowance of Claims 14-16 and 30-31.

New Claims

Applicants add new Claims 36-37, which are fully supported by the specification of the present Application as originally filed. *Gendler* fails to disclose, teach, or suggest each and every limitation recited in the new claims. For example, *Gendler* fails to disclose that the "at least one data item type is determined from a group of data item types comprising quantity, dimensions, comments, and amount," as recited in Claims 36 and 37. *Gendler* discloses that "the user is **required** to input the unit 408, quantity 410 **and** price 412," (col. 9, ll. 55-56 (emphasis added)), not that the "at least one data item type is **determined** from a group of data item types comprising quantity, dimensions, comments, and amount."

Applicants respectfully request consideration of the new claims and respectfully submit that new Claims 36-37 are allowable.

**CONCLUSION**

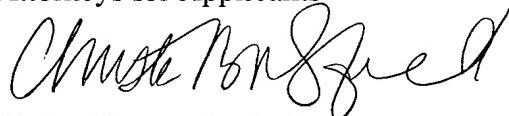
Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all pending claims.

If the Examiner believes that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact the undersigned Attorney for Applicants at the Examiner's convenience.

No fees are believed to be due; however, the Commissioner is authorized to charge any fees or credits to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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